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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**ORDINARY ORIGINAL CIVIL JURISDICTION**

**NOTICE OF MOTION NO.1658 OF 2006**
**IN**
**INCOME TAX APPEAL (LOD) NO.673 OF 2006**

The Commissioner of Income Tax ..Appellant.

V/s.

M/s.Dadhichi Texfab Pvt. Ltd. ..Respondent.

Mr.A.S.Rao with P.S.Sahadevan for appellant.

Mr.J.D.Mistry with Raj Darak for respondent.

**CORAM : F.I.REBELLO AND**
**J.P.DEVADHAR, JJ.**

**DATED : 22ND OCTOBER, 2007.**

**P.C. :-**

There is a delay of 696 days in preferring the appeal. There is affidavit of Mr.P.P. Kishinchandani in support of the Motion. The order of the I.T.A.T. dated 29/9/2003 was received by the CIT-III, Mumbai on 23/1/2004. The Chief CIT granted approval on 25/3/2004. The file was sent to the Ministry of Law on 25/3/2004. The draft appeal memo was received on 17/5/2005. There is no explanation whatsoever for the delay between 25/3/2004 and 17/5/2005. Considering the cause shown, in our opinion, the same would not amount to sufficient cause. Hence Motion is dismissed.

**(J.P.DEVADHAR, J.)** **(F.I.REBELL0, J.)**